

# **International Efforts to Restrict or Prohibit Military Small Arms**

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# Department of Defense Weapon Review Requirement

- In effect since 1974 for weapons, weapons systems and ammunition.
- Contained in DOD Instruction 5000.1.
- Legal review by the Judge Advocate General of proponent department to ensure compliance with U.S. law of war and arms control obligations.
- USSOCOM (MFP-11): Army JAG conducts review, coordinates with other service(s) if appropriate.
- Service distinction re training ammunition: Navy requires legal review, Army does not.



# Rationale for Weapons Review Requirement

- Based upon Viet Nam War experience, where allegations of “illegality” of U.S. weapons (*e.g.*, M-16, napalm, flechettes, CBU) were made to limit effective employment.
- 1978-1980 UN Conventional Weapons Conference and Convention (UNCCW) found allegations unsupported by medical evidence, military practice.
- Historical experience: innovation breeds controversy, allegations of “illegality” that delay, inhibit or stop development, acquisition, employment.
- DOD Instruction 5000.1 successful, pro-active response.



# **Rationale for Weapons Review Requirement (*cont.*)**

- Persistent threat by non-government organizations (NGOs) to ban or eliminate conventional weapons through claims of illegality, *e.g.*,
  - **1990-1996 Swiss/ICRC effort to prohibit certain small arms ammunition (unsuccessful).**
  - **1997 Ottawa Convention banning anti-personnel mines.**  
**Affects (directly or indirectly) employment of**
    - **Claymore**
    - **Pursuit Deterrent Munition**
  - **1996 Blinding Laser Weapons Protocol, UNCCW.**
  - **1999 ICRC challenge to Mk. 211 Raufoss Multipurpose Round**

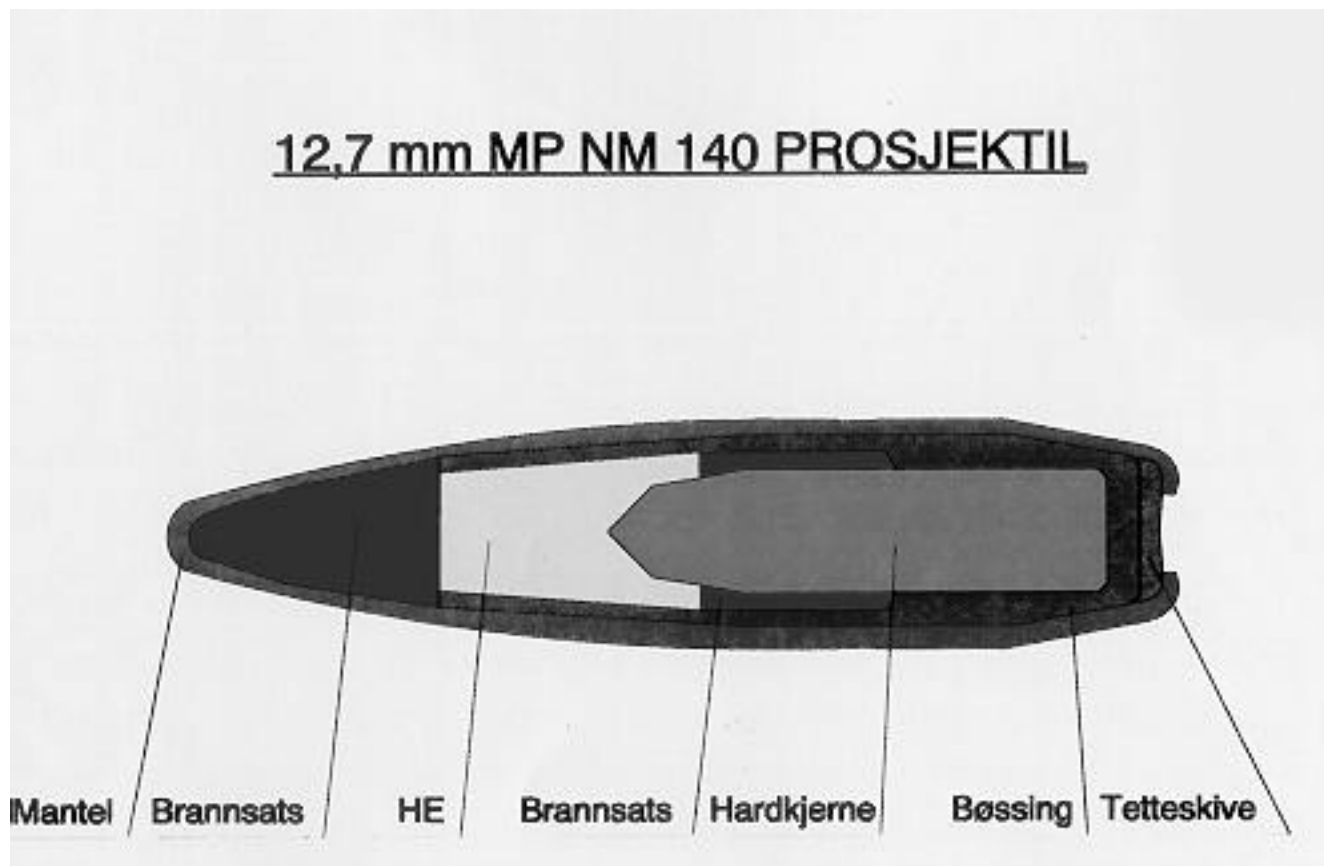


# Small arms legal reviews 1999-2000

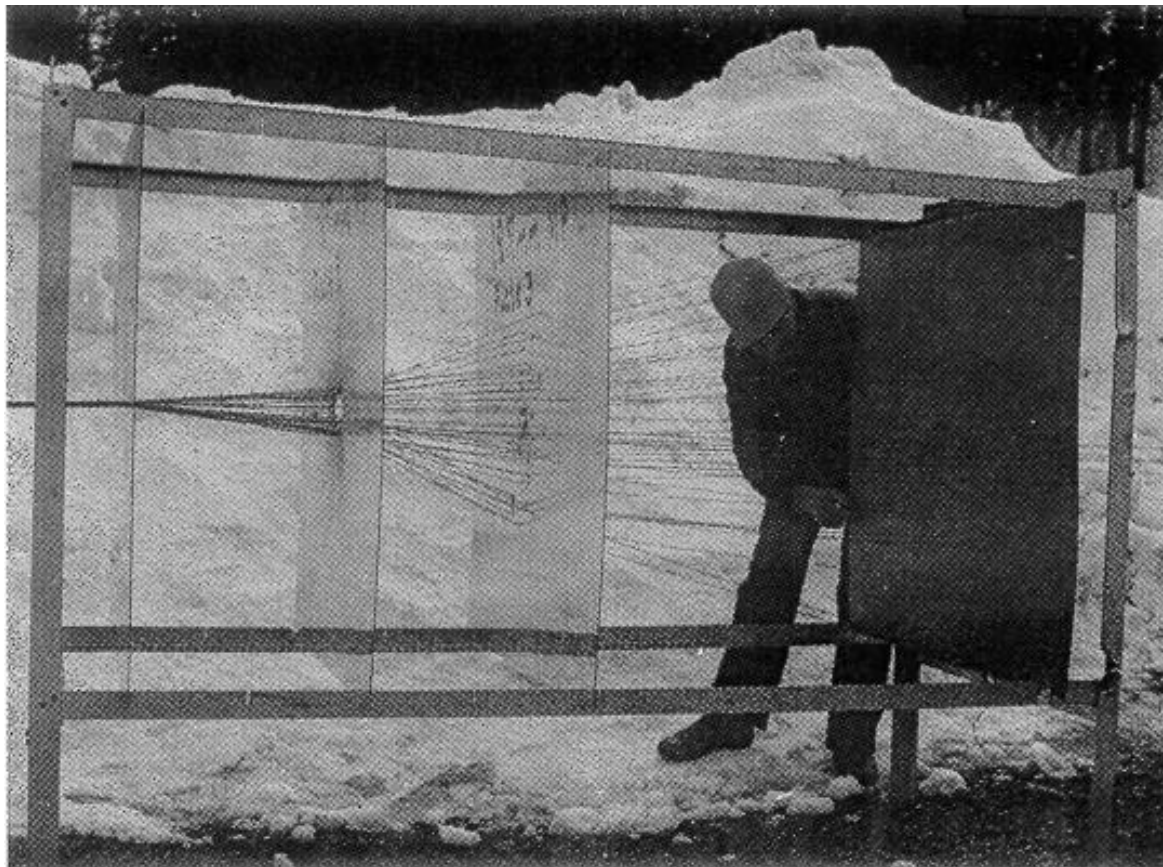
- OICW and OCSW
- USASFC sniper rifles
- 5.56mm M995 and M993 AP
- 5.56mm M855 tungsten core
- XM1030 12 gauge breaching round
- XM100 Rifle Fired Entry Munition
- 5.56mm Special Purpose Receiver
- 5.56mm projectiles (73, 77, 87 grains)
- H&K 4.6x30mm Personal Defense Weapon (preliminary review)



# The .50 cal. Raufoss Multipurpose Round



# The .50 cal. Raufoss Multipurpose Round



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# **International Committee of the Red Cross Challenge to the Raufoss Round**

- 3 December 1998: International Committee of the Red Cross (ICRC) claims Raufoss .50 cal round is an illegal ‘exploding bullet’, based upon its ‘tests’.
- 29-30 March 1999: ICRC-hosted meeting of experts from manufacturing nations (Belgium, Norway, U.S. and Switzerland), who dispute ICRC claims, demand re-test.
- Re-test held in Thun, Switzerland, 9-10 September 1999, refuted ICRC claim.
- 14 January 2000: new U.S. legal review reconfirms legality of Raufoss .50 cal. Multipurpose round.





# Grumpy Old Men

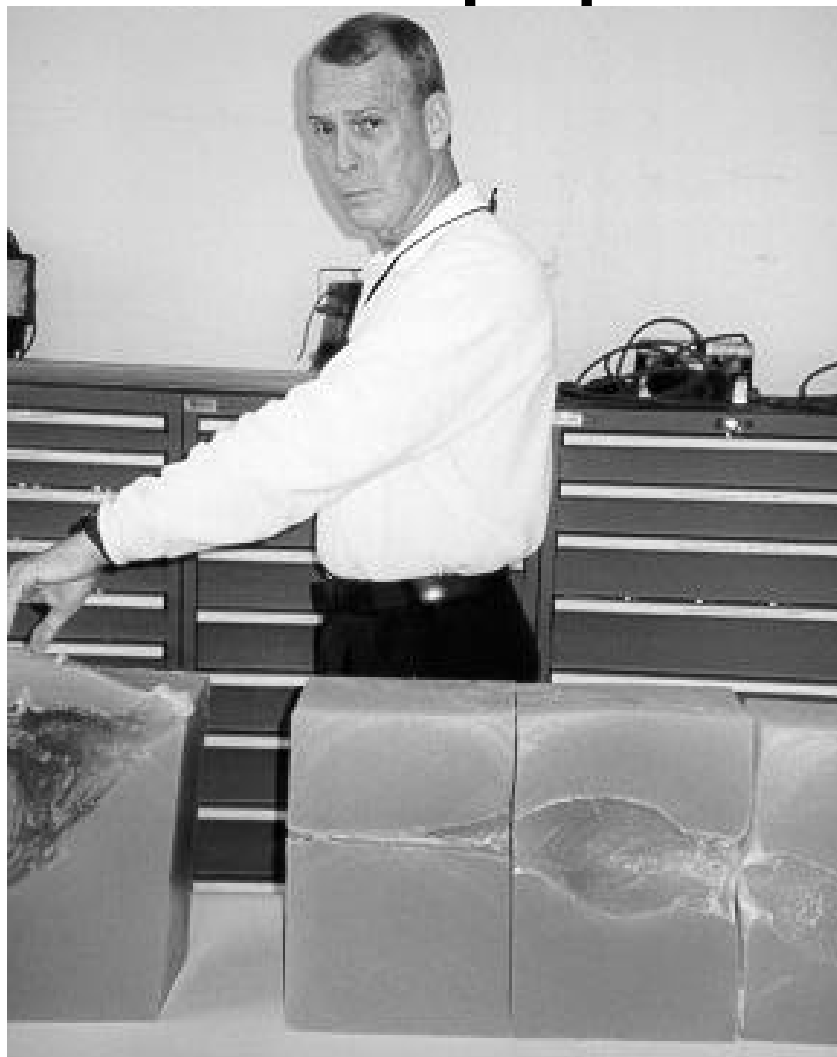


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# **Ballistic Glycerin Soap Penetration Test**

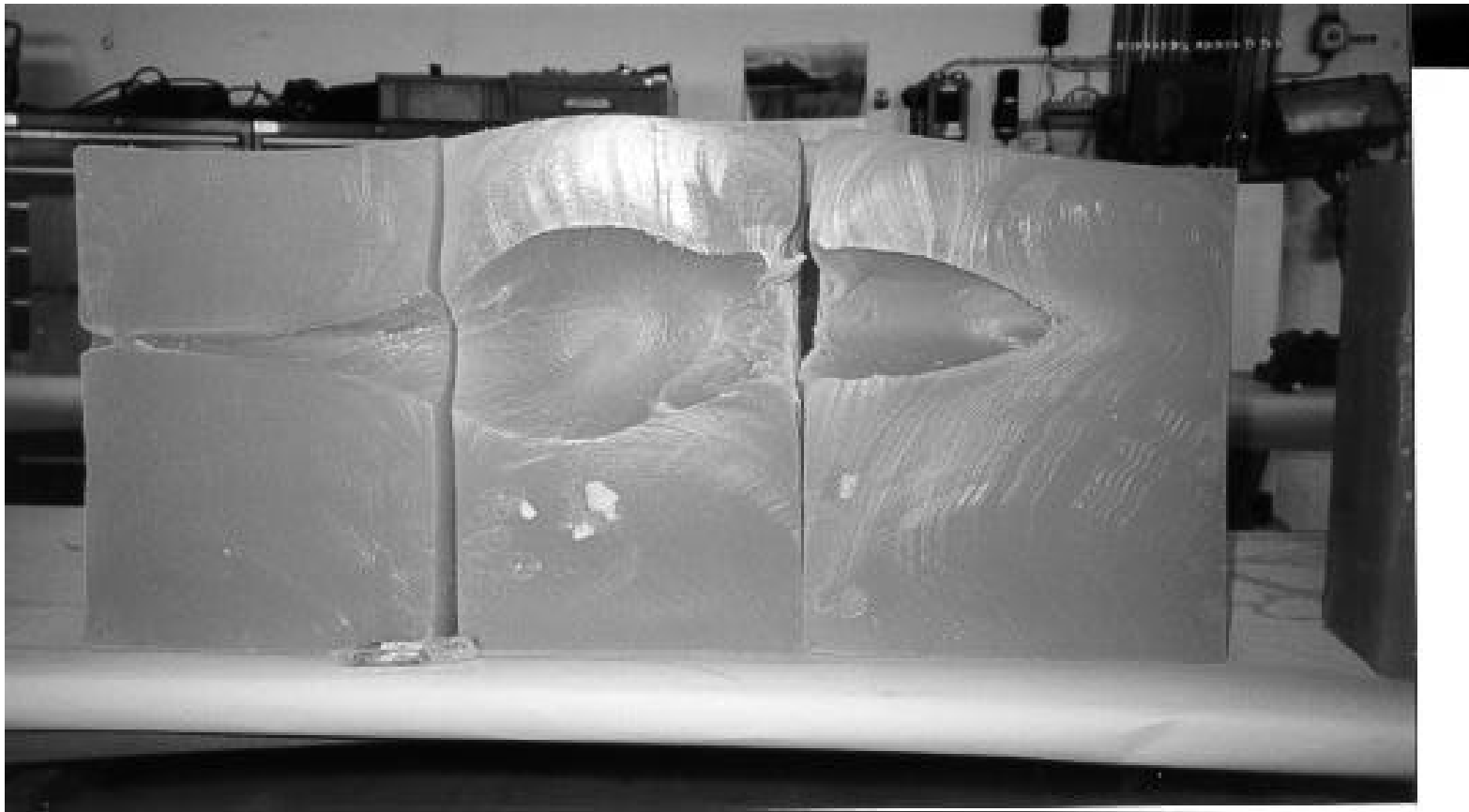
## **Raufoss 12.7mm Multipurpose Ammunition**



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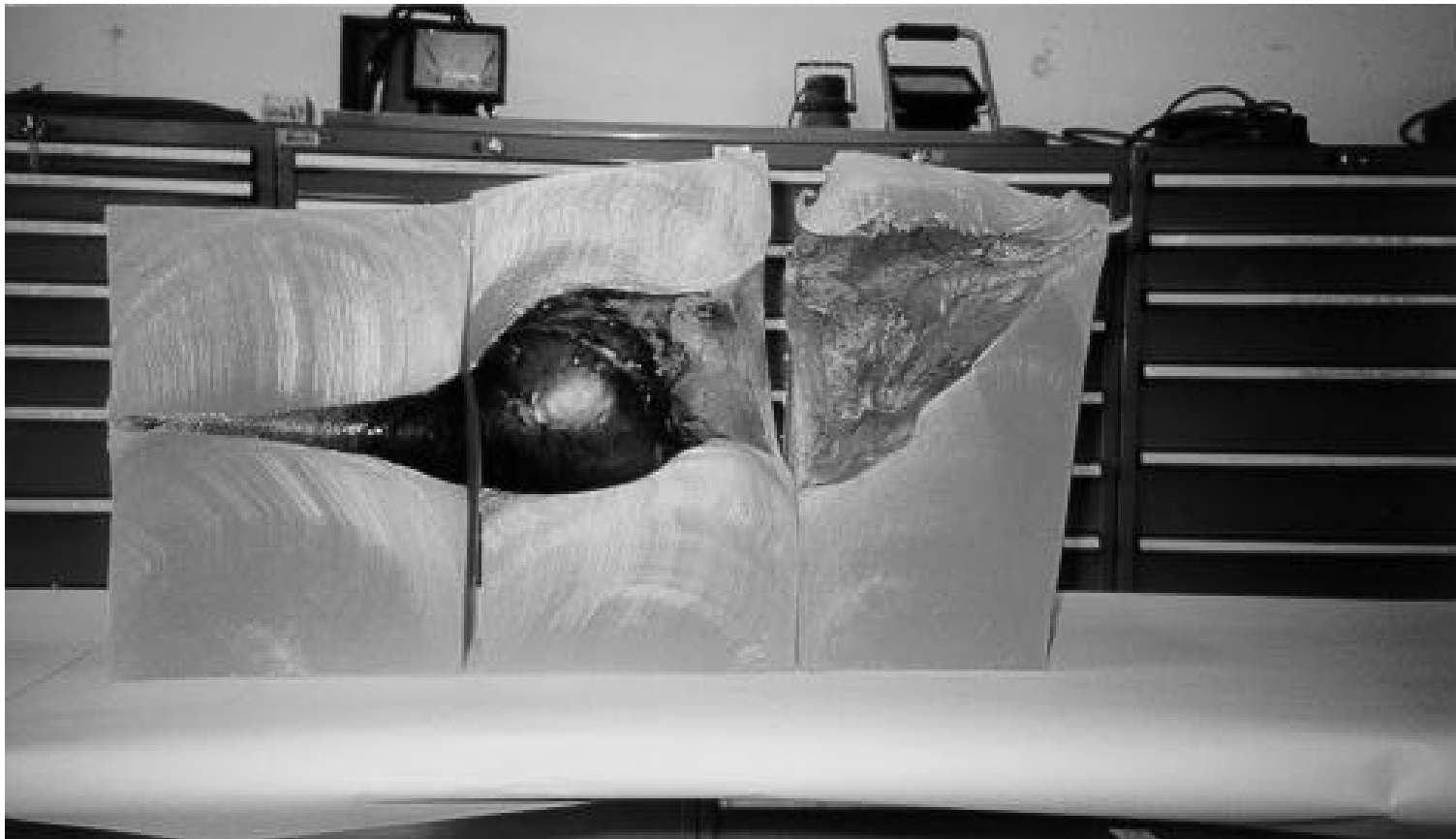
# Raufoss re-test



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# Raufoss Re-test



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# **Raufoss Multipurpose .50 cal. Round: conclusions**

- **ICRC allegations based upon ignorance of weapons, flawed testing and incorrect legal interpretation.**
- **U.S. regards .50 cal. Raufoss Multipurpose round as lawful for anti-personnel and anti-materiel targets.**
- **14 January 2000: new U.S. legal review reconfirms legality of Raufoss .50 cal. Multipurpose round.**
- **ICRC emotionally-laden, inaccurate challenge to lawful weapon defeated in part by prior U.S. legal review.**
- **Validated U.S. weapons review program,**
- **ICRC may endeavor to resurrect at Second Review Conference for UNCCW, to begin in 2001.**



# ICRC SIrUS Project

- ICRC has no weapons mandate.
- SIrUS: acronym for law of war prohibition of weapons that cause superfluous injury or unnecessary suffering.
- ICRC attempt to wrest responsibility for determination of legality from governments.
- United States, other governments oppose.
- Next meeting: 29-31 January 2001.



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